

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/009,488	YAMASHITA ET AL.	
	Examiner Dah-Wei D Yuan	Art Unit 1745	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 6/17/04.
2.  The allowed claim(s) is/are 1,6,7 and 12-22.
3.  The drawings filed on 13 December 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>12132001</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                                |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance    |
|  | 9. <input type="checkbox"/> Other _____.  |

**BATTERY, TAB OF BATTERY AND METHOD OF MANUFACTURE THEREOF**

Examiner: Yuan      S.N. 10/009,488      Art Unit: 1745      August 26, 2004

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 17, 2004 has been entered. Claims 2-5,8-11 were cancelled. Claims 1,6,12-15,17-19,21,22 were amended.
  
2. The text of those sections of Title 35, U.S.C. code not included in this action can be found in the prior Office Action issued on February 9, 2004.

***Claim Rejections***

3. The claim rejections under 35 U.S.C. 102(a) as anticipated by Yamashita et al. on claims 1,4-8,11,13-22 are withdrawn because certified translation of the priority papers (JP 2000-117836, 2001-9706) have been made of record to overcome the rejections. The claim rejections under 35 U.S.C. 102 (b) as being anticipated by Kahata et al. on claims 1,7,8,13,16,17,20-22 are withdrawn because the independent claims 1,13,17,21,22 have been amended. The claim rejections under 35 U.S.C. 103(a) as obvious over Yamashita et al. and Affinito on claims 3,10 are withdrawn because certified translation of the priority papers (JP 2000-117836, 2001-9706) have been made of record to overcome the rejections. The claim rejections under 35 U.S.C.

103(a) as obvious over Morris and Yamashita et al. on claim 12 are withdrawn because certified translation of the priority papers (JP 2000-117836, 2001-9706) have been made of record to overcome the rejections. The claim rejections under 35 U.S.C. 103 (a) as being unpatentable over Kahata et al. and Affinito on claims 3,10 are withdrawn because the independent claim 1 has been amended. The claim rejections under 35 U.S.C. 103 (a) as being unpatentable over Kahata et al. and Mori on claims 4,11 are withdrawn because the independent claim 1 has been amended.

*Reasons for Allowance*

4. Claims 1,6,7,12-22 are allowed. The invention of independent claim 1 recites a battery comprising a package having a base layer, an aluminum layer, an innermost heat-sealable layer, and a bonding layer between the base layer and the aluminum layer, wherein (1) the package has a heat-sealed peripheral part which is provide with a corrosion-resistant layer formed by a chemical conversion treatment, (2) the part of the tab correspond to the corrosion-resistant layer has been degreased, and (3) a first corrosion-resistant layer is formed on a surface of the aluminum layer on the side of the innermost heat sealable layer by a chemical conversion treatment. The closest prior arts of record, Kahata, Affinito and Mori, do not teach or suggest the inclusion of a first corrosion-resistant layer in the battery is formed on a surface of the aluminum layer on the side of the innermost heat sealable layer by a chemical conversion treatment. The invention of independent claim 12 recites a tab manufacturing method comprising the steps of preparing a metal sheet, slitting the metal sheet into the tab body,

degreasing an entire surface of the tab body, applying a solution prepared by mixing a phosphate, chromic acid, a fluoride and a triazine thiol compound to the degreased surface of the tab body and drying the solution applied to the tab body to form a corrosion-resistant layer on the tab body. The closest prior arts of record, Kahata, Affinito and Mori, do not teach or suggest the application of a solution prepared by mixing a phosphate, chromic acid, a fluoride and a triazine thiol compound to the surface of the tab body. The invention of independent claims 13,17 recites a battery comprising a battery module provided with a metal tab, a package having an innermost heat-sealable layer, wherein the package having a heat-sealable peripheral part that is provided with a corrosion-resistant layer formed by a chemical conversion treatment, wherein the corrosion-resistant layer includes a composition consisting of the phenolic resin, the chromium fluoride (3) and the phosphoric acid. The closest prior arts of record, Kahata, Affinito and Mori, do not teach or suggest the corrosion-resistant layer in the battery includes a composition consisting of the phenolic resin, the chromium fluoride (3) and the phosphoric acid. The invention of independent claims 21,22 recites a metal tab for a battery comprising a tab body and a corrosion-resistant layer formed on a part of the tab body, wherein the corrosion-resistant layer includes a composition consisting of the phenolic resin, the chromium fluoride (3) and the phosphoric acid. The closest prior arts of record, Kahata, Affinito and Mori, do not teach or suggest the corrosion-resistant layer in the battery includes a composition consisting of the phenolic resin, the chromium fluoride (3) and the phosphoric acid.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dah-Wei D. Yuan whose telephone number is (571) 272-1295. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dah-Wei D. Yuan  
August 26, 2004

